

APPLICATION NO	PA/2009/0693
APPLICANT	North Point UK Ltd
DEVELOPMENT	Planning permission to erect a portal-frame industrial building creating five individual workshop units (resubmission of PA/2009/0217)
LOCATION	North Points UK Ltd, High Premier Industrial Estat, Belton Road, Sandtoft, Belton
PARISH	BELTON
WARD	Axholme Central
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Belton Parish Council
POLICIES	<p>Regional Spatial Strategy for Yorkshire and the Humber: Policy E2 provides general design guidance in relation to rural employment opportunities. Employment and developments should be encouraged in rural areas to promote a healthy and diverse rural economy and maintain the vitality of rural communities whilst protecting and enhancing the quality of the environment.</p> <p>North Lincolnshire Local Plan: Policy IN1 defines the location and uses permitted on various sites throughout the borough. Policy IN1-13 permits B1, B2 and B8 uses on the site.</p> <p>Policy RD2 provides general guidance on acceptable uses within the open countryside. Employment-related development appropriate in the open countryside will be permitted.</p> <p>Policy T2 requires all new development to be provided with a satisfactory access.</p> <p>Policy DS1 provides general design guidance in relation to new development.</p> <p>Policy DS16 provides general guidance for all development within the floodplain.</p>
CONSULTATIONS	Highways: No objection.

Environment Agency: No reply received.

PARISH COUNCIL

Object. The building has already been constructed and it has not been built where the plans specify it should have been built. There is a lack of adequate road infrastructure which already cannot cope with the volumes of traffic. The application seems to be premature inasmuch as the Local Development Framework Expansion of Sandtoft Industrial Estate has yet to be agreed and which was opposed by the vast majority of residents at a recent meeting.

PUBLICITY

Neighbouring properties have been notified and a site notice posted. No representations have been received.

ASSESSMENT

This proposal is for an industrial building to create five individual workshop units. The building will be 43 metres long, 9.03 metres wide and 8.1 metres high and is of a steel fabricated, industrial design and will have a floorspace of 390 square metres. It will be used for B1, B2 and B8 uses.

The main issues associated with this case are whether the building is acceptable in planning policy terms, and if so whether the impact the building will have on the amenity of the locality and on neighbours is acceptable. The site lies within the floodplain and the issue of flooding will also need to be assessed.

The site is located within Sandtoft Airfield and is a designated industrial site. Policy IN1-13 permits B1, B2 and B8 uses on the site. The building will be used for B1, B2 and B8 uses. The proposal, in terms of its uses, therefore accords with policy IN1-13 of the North Lincolnshire Local Plan.

In terms of the Local Development Framework, the expansion of Sandtoft Airfield is only a proposal at this stage and little weight can be given to it at the present time.

Contrary to the views expressed by the parish council, the building has not been erected on site. Two other industrial units that are under construction are located in front of the application site. The proposed building, in terms of its design, is an industrial building that is of similar design to the other industrial buildings located in the vicinity. The proposal therefore accords with policy DS1 of the North Lincolnshire Local Plan.

Concerns relating to the increase in traffic are noted, however Highways raise no objection to the proposal. It is considered that the existing highway network can support this development.

The Local Development Framework (LDF) is not sufficiently far enough advanced in its adoption process to yet be considered a material planning consideration.

The site is located within 70 metres of the nearest dwelling and Environmental Health have suggested that various conditions be placed on the planning permission to protect residential amenity. These include contamination and noise conditions. In light of the fact that complaints relating to noise have been received from residents a noise survey is required.

RECOMMENDATION

Grant permission subject to the following conditions:

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The workshop units shall be used for B1, B2 and/or B8 uses of the Use Classes Order (as amended) 2005 and for no other uses without the prior permission in writing of the local planning authority.

Reason

In order to accord with policy IN1-13 of the North Lincolnshire Local Plan.

3.

Before development commences on site, details of surface water disposal shall be submitted to and approved in writing by the local planning authority. Thereafter only the approved scheme shall be implemented on site at all times.

Reason

To reduce the potential impact of flooding in accordance with policy DS16 of the North Lincolnshire Local Plan.

4.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health
 - property (existing or proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes
 - adjoining land
 - groundwaters and surface waters
 - ecological systems
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and a proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Part 2: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

Part 4: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Part 3.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

5.

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of [X] years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the local planning authority.

Following completion of the measures identified in that scheme, and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the local planning authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

6.

No development shall take place until a noise impact assessment has been submitted to and approved in writing by the local planning authority. The noise impact assessment shall be carried out in accordance with BS 4142 and with reference to PPG24 and the World Health Organisation Guidelines for Community Noise (1999).

The assessment report should provide details of existing background noise levels, likely noise sources which will impact upon the proposed development, mitigation methods to be employed and the resulting predicted level of noise at sensitive locations. Any approved mitigation measures shall be carried out in their entirety before the use of the building commences and shall be retained thereafter.

Reason

To minimise the impact of the development on adjacent properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

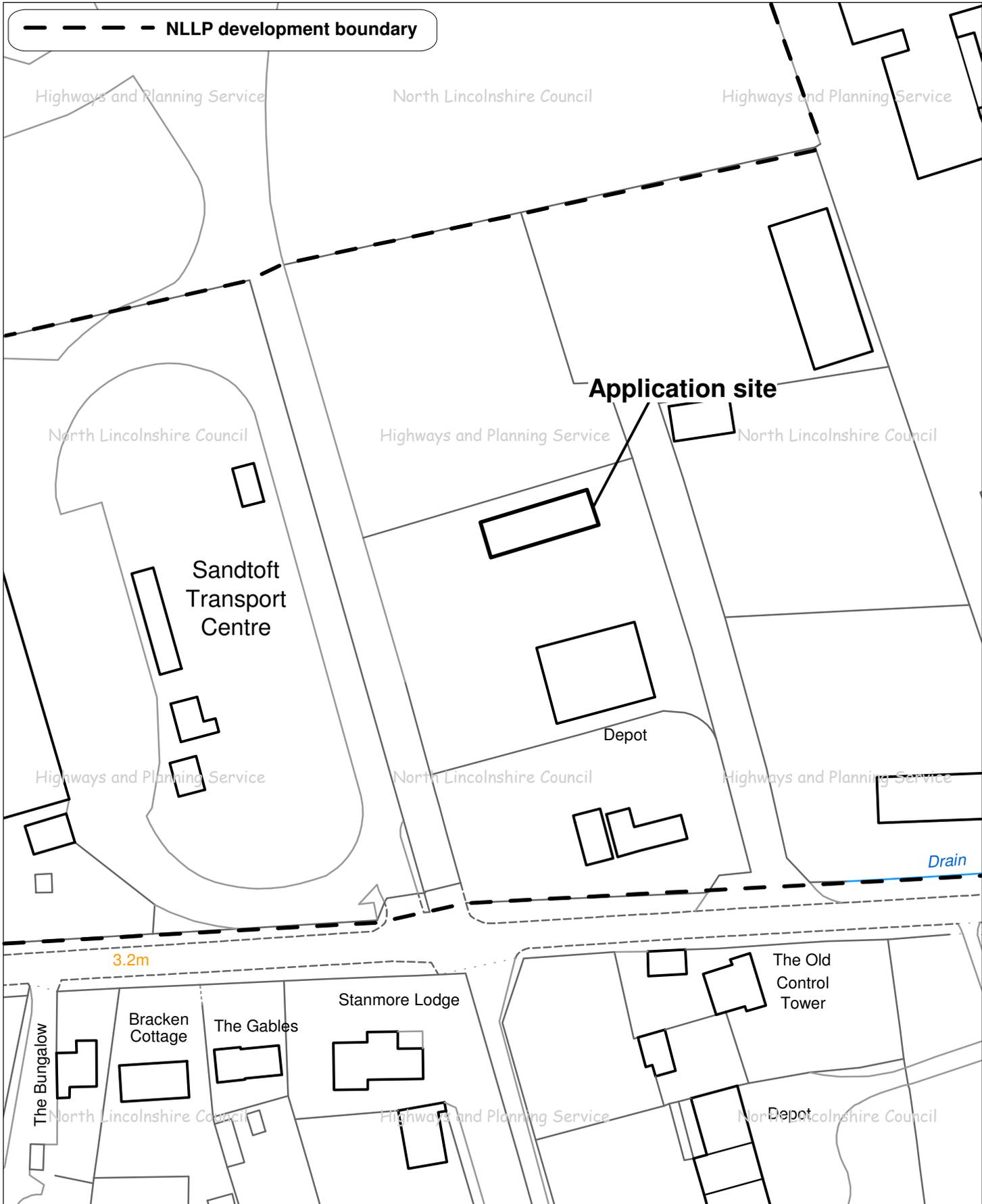
7.

Before development commences on site, details of any external lighting to be installed on the site shall be submitted to and approved in writing by the local planning authority. The external lighting shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The external lighting shall be installed, maintained and operated in accordance with the approved details at all times.

Reason

To minimise light pollution in accordance with policy DS12 of the North Lincolnshire Local Plan.

--- NLLP development boundary



Drawing Title: 2009/0693

OS Grid Ref: SE74910817

Drawn by: KC

Scale: 1:1250

Date: 07/07/2009



Based upon the Ordnance Survey mapping with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown Copyright.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

NORTH LINCOLNSHIRE COUNCIL 0100023560 2009



Highways and Planning Service

Service Director,
G Pople

The Ordnance Survey map data included within this publication is provided by North Lincolnshire Council under license from Ordnance Survey in order to fulfil its public function to act as a highways and planning authority. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to license Ordnance Survey map data for their own use.